

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

HAI V. LE,)
) Case No. 1:17-cv-145
Plaintiff,)
) Judge Travis R. McDonough
v.)
) Magistrate Judge Susan K. Lee
COMMISSIONER OF SOCIAL)
SECURITY ADMINISTRATION,)
)
Defendant.)

ORDER

On June 6, 2018, United States Magistrate Judge Susan K. Lee filed her report and recommendation (Doc. 15) pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b). Magistrate Judge Lee recommended that: 1) Plaintiff's motion for summary judgment (Doc. 10) be denied; 2) the Commissioner's motion for summary judgment (Doc. 13) be granted; and 3) the decision of the Commissioner be affirmed. (Doc. 15.)

Neither party has filed an objection to Magistrate Judge Lee's report and recommendation.¹ Nevertheless, the Court has conducted a review of the report and recommendation, as well as the record, and it agrees with Magistrate Judge Lee's well-reasoned conclusions.

¹ Magistrate Judge Lee specifically advised the parties that they had fourteen days in which to object to the report and recommendation and that failure to do so would waive any right to appeal. (Doc. 15, at 23 n.3); *see Fed. R. Civ. P. 72(b)(2); see also Thomas v. Arn*, 474 U.S. 140, 148–51 (1985) (noting that “[i]t does not appear that Congress intended to require district court review of a magistrate's factual or legal conclusions, under a *de novo* or any other standard, when neither party objects to those findings”). Even taking into account the three additional days for service provided by Fed. R. Civ. P. 6(d), the period in which the parties could timely file any objections has now expired.

Accordingly:

- The Court **ACCEPTS** and **ADOPTS** Magistrate Judge Lee's report and recommendation (Doc. 15);
- Plaintiff's motion for summary judgment (Doc. 10) is **DENIED**;
- The Commissioner's motion for summary judgment (Doc. 13) is **GRANTED**; and
- The decision of the Commissioner is **AFFIRMED**.

AN APPROPRIATE JUDGMENT WILL ENTER.

/s/ Travis R. McDonough

TRAVIS R. MCDONOUGH
UNITED STATES DISTRICT JUDGE